

REMARKS

Status of Claims

Claims 1-10 are all the claims under consideration in the present application.

Response to Claim Rejections under 35 U.S.C. § 102(e)

Claims 1-10 have been rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Misawa (U.S. Pat. Application Pub. 2006/0154132 A1). Misawa has a US Filing Date of January 5, 2006.

Applicants claim priority to Japanese Application 2004-016393 dated January 23, 2004, which predates the US filing date of Misawa. A verified English translation of the priority document is enclosed herewith. In view of the above, Misawa et al. cannot be considered prior art for the present invention.

Accordingly, Applicants respectfully request the withdrawal of the rejections of Claims 1-10 pursuant to 35 U.S.C. § 102 (e) based on Misawa et al.

Claims 1-10 have been further rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by Hirotaka et al. (JP Patent Application Publication No. 2005-071713). Applicants respectfully submit that the Examiner's rejection under 35 U.S.C. § 102(e) is not applicable to this reference as the reference does not qualify as prior art under § 102 (e) since it is a foreign publication. It is also submitted that the Hirotaka et al. reference is not prior art to this application.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Application No.: 10/568,850

Attorney Docket No.: Q96083

The publication date of the Hirotaka et al. reference is March 17, 2005. Therefore, as Applicants claim priority to Japanese Application 2004-016393 dated January 23, 2004, which predates the publication date of Hirotaka et al., Hirotake et al. is not prior art to this application.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

Applicants hereby petition for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

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